

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X	
<b>In re</b>	:
	:
	:
<b>CALPINE CORPORATION, <i>et al.</i>,</b>	:
	:
	:
	:
-----X	
<b>HSBC BANK USA, NATIONAL</b>	:
<b>ASSOCIATION, AS INDENTURE</b>	:
<b>TRUSTEE, THE BANK OF NEW YORK,</b>	:
<b>AS ADMINISTRATIVE AGENT,</b>	:
<b>WILMINGTON TRUST FSB, AS</b>	:
<b>INDENTURE TRUSTEE, WILMINGTON</b>	:
<b>TRUST COMPANY, AS ADMINISTRATIVE</b>	:
<b>AGENT, AND MANUFACTURERS</b>	:
<b>&amp; TRADERS TRUST COMPANY,</b>	:
<b>AS INDENTURE TRUSTEE,</b>	:
	:
<b>Appellants,</b>	:
	:
<b>– against –</b>	:
	:
<b>CALPINE CORPORATION, THE OFFICIAL</b>	:
<b>COMMITTEE OF UNSECURED</b>	:
<b>CREDITORS OF CALPINE CORPORATION,</b>	:
<b>AND THE OFFICIAL COMMITTEE OF</b>	:
<b>EQUITY SECURITY HOLDERS,</b>	:
	:
<b>Appellees.</b>	:
-----X	

**Chapter 11**

**Case No. 05-60200 (BRL)**

**(Jointly Administered)**

**Case No. 1:07-cv-03088 (GBD)**

*caption continued on next page*

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CALPINE CORPORATION, THE OFFICIAL	:
COMMITTEE OF UNSECURED	:
CREDITORS OF CALPINE CORPORATION,	:
AND THE OFFICIAL COMMITTEE OF	:
EQUITY SECURITY HOLDERS,	:
	:
Appellants,	:
	:
– against –	:
	:
HSBC BANK USA, NATIONAL	:
ASSOCIATION, AS INDENTURE	:
TRUSTEE, THE BANK OF NEW YORK,	:
AS ADMINISTRATIVE AGENT,	:
WILMINGTON TRUST FSB, AS	:
INDENTURE TRUSTEE, WILMINGTON	:
TRUST COMPANY, AS ADMINISTRATIVE	:
AGENT, AND MANUFACTURERS	:
& TRADERS TRUST COMPANY,	:
AS INDENTURE TRUSTEE,	:
	:
Appellees.	:
-----X	

**AFFIDAVIT OF SERVICE**

State of New York     )  
                                   )     ss.:  
 County of New York    )

Heather Aaronson, being duly sworn, hereby deposes and says:

1. I am over 18 years of age and am not a party to the above-captioned proceedings. I am employed by Weil, Gotshal & Manges LLP, having offices at 767 Fifth Avenue, New York, New York 10153.
2. On the 9th day of July 2007, I caused true and correct copy of the following pleading to be served upon the parties listed in the service list attached hereto as Exhibit A at the addresses set forth therein via overnight mail:

✓ Reply Brief of Appellant Manufacturers & Traders Trust Company.

/s/ Heather Aaronson  
Heather Aaronson

Sworn to before me this  
12th day of July, 2007

/s/ Kathleen Anne Lee  
Kathleen Anne Lee  
Notary Public, State of New York  
No. 01LE6119251  
Registered in New York County  
Commission Expires 11/29/08

**Exhibit A**

**Service List**

**Hon. George B. Daniels**  
**United States District Judge**  
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